S.B. Cr. Bail Application No. 4938/2007
(Ram Chandra alias Ram Lal Vs. State of Rajasthan)

Date of order : 22.10.2007

HON'BLE MR.H.R.PANWAR,J.

Mr. H.S.Shrimali for the petitioner.
Mr. Ashok Upadhyay, P.P.

Heard learned counsel for the petitioner and public prosecutor for the State. Perused the order impugned and police investigation diary.

It is contended by learned counsel for the petitioner that the injured remained hospitalized only for three days and had there been head injury, the injured would not have been discharged from hospital. According to counsel for the petitioner, injured Malu Ram has not suffered any head injury.

Learned public prosecutor opposed the bail application and contended that as per the injury report dated 10.8.2007 the injured suffered as many as three head injuries which reads as under :-

"1.Lacerated wound 6cmx2cmx1.5cm on scalp
Bone deep left parietal region
2. Lacerated wound 4cmx2cmx1cm on scalp
Bone Deep Right Fronto Parietal region
3. Lacerated wound 3cmx1cmx.5cm on scalp
Right Parietal Region."

Apart from three head injuries, there are six other injuries, in all the injured suffered nine injuries. On being examined by the Radiologist, on examination of the X-ray, he

opined that there is evidence of both parietal bone fracture and there is evidence of fracture of IIIrd metacarpal bone at middle part of left hand. The report of the Radiologist reads as under :-

"Report

X-Ray Skull - There is evidence of both parietal bone fracture

X-Ray hand - There is evidence of fracture of IIIrd metacarpal bone at middle part of left hand."

In view of the medical evidence, the contention raised by the petitioner cannot be accepted.

However, learned counsel for the petitioner does not want to press the bail application at this stage. The bail application filed by the petitioner under Section 439 Cr.P.C. is therefore, dismissed as not pressed.

(H.R.PANWAR), J.

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